

Congress of the United States
Washington, DC 20510

October 3, 2022

Honorable Pete Buttigieg
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, D.C. 20590

Stephanie Pollack
Acting Administrator
Federal Highway Administration
1200 New Jersey Ave, SE
Washington, D.C. 20590

Dear Secretary Buttigieg and Acting Administrator Pollack

We write today to request an immediate update regarding the impacts of Federal Highway Administration's (FHWA) December 2021 guidance on the use of Infrastructure Investment and Jobs Act (IIJA) funding.

The American public already knows that much of the IIJA's \$1 trillion are reserved for projects designed to advance a Green New Deal agenda instead of actual infrastructure, such as the \$66 billion in taxpayer giveaways to bloated and incompetent public transit systems, \$65 billion to add expensive green energy to the grid, \$50 billion for loosely defined "climate resilience", \$21.5 billion for demonstration projects related to intermittent and expensive energy sources, and \$7.5 billion for stations to charge expensive electric vehicles, among hundreds of billions in other wasteful spending. What they may not know is, according to the guidance, the Biden administration also intends to hamstring funding that is designated for traditional infrastructure, such as roads and highways, in the name of those liberal goals.

Specifically, the guidance states the FHWA "where permitted by law, [will] require...recipients of Federal highway funding to select projects that improve the condition and safety of existing transportation infrastructure within the right-of-way *before advancing projects that add new general purpose travel lanes* serving single occupancy vehicles."¹ This policy puts projects that would expand highway capacity at the back of the line for approval and discriminates against communities that rely on surface transportation—rural communities in particular. Further, while the guidance exempts projects favored by green special interests such as bicycle lanes from any further NEPA approvals, it singles out highway capacity projects for "...more scrutiny under NEPA."

Perhaps most troubling is the fact the Biden administration is intentionally preventing the use of highway funds to expand highway capacity and promote economic growth when it has just driven our nation into a recession and caused record inflation.

¹ Deputy Administrator Stephanie Pollack to Associate Administrators, Chief Counsel, Chief Financial Officer, Director of Field Services, and Division Administrators, December 16, 2021, U.S. Department of Transportation – Federal Highway Administration, Information: Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America, https://www.fhwa.dot.gov/bipartisan-infrastructure-law/building_a_better_america-policy_framework.cfm (emphasis added).

We request that the FHWA provide a comprehensive breakdown of funding awarded to date under the Bipartisan Infrastructure Law. Specifically, please provide the total awarded funding for projects that do not add general purpose travel lanes compared with total funding for projects that add general purpose travel lanes. Further, we request a comprehensive list detailing the status of project applications that would add new purpose travel lanes that have yet to be approved by the Federal Highway Administration. Please provide this information by October 20, 2022.

Sincerely,



Ben Cline
Member of Congress



Jim Banks
Member of Congress



Cliff Bentz
Member of Congress



Van Taylor
Member of Congress



Dan Crenshaw
Member of Congress



Brian Mast
Member of Congress



Randy K. Weber
Member of Congress